

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

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|---------------------------|---|----------------------------|
| CIRINO GONZALES, |) | |
| |) | |
| Petitioner, |) | |
| v. |) | Nos. 1:12-cv-00375-GZS and |
| |) | 1:07-cr-00189-GZS-3 |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent |) | |

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objections having been filed to the Magistrate Judge's Recommended Decision (ECF No. 21) filed March 12, 2013, the Recommended Decision is **AFFIRMED**.

Accordingly, it is **ORDERED**:

- (1) That Defendant's Motion for Clarification (ECF No. 19) is **DENIED**;
- (2) That Defendant's Relief under 28 U.S.C. § 2255 is **DENIED WITH PREJUDICE** and the Petition is **DISMISSED**;
- (3) That a certificate of appealability shall not issue in the event Defendant files an appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c);
- (4) Defendant's Motion to Extend filed in 1:07-cr-00189-GZS-3 (ECF No. 693) is **DISMISSED AS MOOT** for reasons stated in footnote 1.

/s/ George Z. Singal
United States District Judge

Dated this 9th day of April, 2013.